

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY L SCHUTT,

Plaintiff,

vs.

LINCARE, INC., AND LINCARE
HOLDINGS, INC., A Delaware Corporation;

Defendants.

4:14CV3229

ORDER

The above-captioned case is over two years old. The case progression order has been amended three times before, and the parties now jointly move for another 120-day extension. Upon review of the docket, and the parties' submissions in support of another continuance,

IT IS ORDERED that the parties' motion, (Filing No. 42), is granted in part as follows:

- 1) The jury trial of this case is set to commence before Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on August 14, 2017, or as soon thereafter as the case may be called, for a duration of seven (7) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on July 28, 2017 at **9:00 a.m.**, and will be conducted by internet/telephonic conferencing. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on July 27, 2017.
- 3) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is March 3, 2017. Motions to compel Rule 33 through 36 discovery must be filed by March 17, 2017.
Note: Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.
- 4) The deposition deadline is April 14, 2017.

- 5) The deadline for filing motions to dismiss and motions for summary judgment is April 28, 2017¹
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is April 28, 2017.
- 7) **Further requests to extend the progression schedule will be denied absent a substantial showing of good cause.**

January 3, 2017.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

¹ To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.